

# HB3710



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3710

Introduced 2/22/2021, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

230 ILCS 15/7  
230 ILCS 15/8.1

from Ch. 85, par. 2307  
from Ch. 85, par. 2308.1

Amends the Raffles and Poker Runs Act. Removes language concerning the ineligibility of certain political committees from receiving a license to conduct raffles. Provides that a violation of provisions concerning political committees is punishable by a specified fine imposed by the State Board of Elections (rather than a Class C misdemeanor). Makes conforming changes.

LRB102 04270 SMS 14288 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Raffles and Poker Runs Act is amended by  
5 changing Sections 7 and 8.1 as follows:

6 (230 ILCS 15/7) (from Ch. 85, par. 2307)

7 Sec. 7. Sentence. ~~+~~ Except as otherwise provided in this  
8 Act, violation ~~Violation~~ of any provision of this Act is a  
9 Class C misdemeanor.

10 (Source: P.A. 81-1365.)

11 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

12 Sec. 8.1. Political committees.

13 (a) For the purposes of this Section, the terms defined in  
14 this subsection have the meanings given them.

15 "Net proceeds" means the gross receipts from the conduct  
16 of raffles, less reasonable sums expended for prizes, license  
17 fees, and other reasonable operating expenses incurred as a  
18 result of operating a raffle.

19 "Raffle" means a form of lottery, as defined in Section  
20 28-2(b) of the Criminal Code of 2012, conducted by a political  
21 committee licensed under this Section, in which:

22 (1) the player pays or agrees to pay something of

1 value for a chance, represented and differentiated by a  
2 number or by a combination of numbers or by some other  
3 medium, one or more of which chances are ~~is~~ to be  
4 designated the winning chance; and

5 (2) the winning chance is to be determined through a  
6 drawing or by some other method based on an element of  
7 chance by an act or set of acts on the part of persons  
8 conducting or connected with the lottery, except that the  
9 winning chance shall not be determined by the outcome of a  
10 publicly exhibited sporting contest.

11 "Unresolved claim" means a claim for a civil penalty under  
12 Sections 9-3, 9-10, and 9-23 of the Election Code which has  
13 been begun by the State Board of Elections, has been disputed  
14 by the political committee under the applicable rules of the  
15 State Board of Elections, and has not been finally decided  
16 either by the State Board of Elections, or, where application  
17 for review has been made to the courts of Illinois, remains  
18 finally undecided by the courts.

19 "Owes" means that a political committee has been finally  
20 determined under applicable rules of the State Board of  
21 Elections to be liable for a civil penalty under Sections 9-3,  
22 9-10, and 9-23 of the Election Code.

23 (b) Licenses issued pursuant to this Section shall be  
24 valid for one raffle or for a specified number of raffles to be  
25 conducted during a specified period not to exceed one year and  
26 may be suspended or revoked for any violation of this Section.

1 The State Board of Elections shall act on a license  
2 application within 30 days from the date of application.

3 (c) Licenses issued by the State Board of Elections are  
4 subject to the following restrictions:

5 (1) No political committee shall conduct raffles or  
6 chances without having first obtained a license therefor  
7 pursuant to this Section.

8 (2) The application for license shall be prepared in  
9 accordance with regulations of the State Board of  
10 Elections and must specify the area or areas within the  
11 State in which raffle chances will be sold or issued, the  
12 time period during which raffle chances will be sold or  
13 issued, the time of determination of winning chances, and  
14 the location or locations at which winning chances will be  
15 determined.

16 (3) A license authorizes the licensee to conduct  
17 raffles as defined in this Section.

18 The following are ineligible for any license under this  
19 Section:

20 ~~(i) any political committee which has an officer~~  
21 ~~who has been convicted of a felony;~~

22 ~~(ii) any political committee which has an officer~~  
23 ~~who is or has been a professional gambler or gambling~~  
24 ~~promoter;~~

25 ~~(iii) any political committee which has an officer~~  
26 ~~who is not of good moral character;~~

1           ~~(iv) any political committee which has an officer~~  
2           ~~who is also an officer of a firm or corporation in~~  
3           ~~which a person defined in (i), (ii) or (iii) has a~~  
4           ~~proprietary, equitable or credit interest, or in which~~  
5           ~~such a person is active or employed;~~

6           ~~(v) any political committee in which a person~~  
7           ~~defined in (i), (ii) or (iii) is an officer, director,~~  
8           ~~or employee, whether compensated or not;~~

9           ~~(vi) any political committee in which a person~~  
10           ~~defined in (i), (ii) or (iii) is to participate in the~~  
11           ~~management or operation of a raffle as defined in this~~  
12           ~~Section;~~

13           (i) ~~(vii)~~ any committee which, at the time of its  
14           application for a license to conduct a raffle, owes  
15           the State Board of Elections any unpaid civil penalty  
16           authorized by Sections 9-3, 9-10, and 9-23 of the  
17           Election Code, or is the subject of an unresolved  
18           claim for a civil penalty under Sections 9-3, 9-10,  
19           and 9-23 of the Election Code;

20           (ii) ~~(viii)~~ any political committee which, at the  
21           time of its application to conduct a raffle, has not  
22           submitted any report or document required to be filed  
23           by Article 9 of the Election Code and such report or  
24           document is more than 10 days overdue.

25           (d) (1) The conducting of raffles is subject to the  
26           following restrictions:

1 (i) The entire net proceeds of any raffle must be  
2 exclusively devoted to the lawful purposes of the  
3 political committee permitted to conduct that game.

4 (ii) No person except a bona fide member of the  
5 political committee may participate in the management or  
6 operation of the raffle.

7 (iii) No person may receive any remuneration or profit  
8 for participating in the management or operation of the  
9 raffle.

10 (iv) Raffle chances may be sold or issued only within  
11 the area specified on the license and winning chances may  
12 be determined only at those locations specified on the  
13 license.

14 (v) A person under the age of 18 years may participate  
15 in the conducting of raffles or chances only with the  
16 permission of a parent or guardian. A person under the age  
17 of 18 years may be within the area where winning chances  
18 are being determined only when accompanied by his or her  
19 parent or guardian.

20 (2) If a lessor rents a premises where a winning chance or  
21 chances on a raffle are determined, the lessor shall not be  
22 criminally liable if the person who uses the premises for the  
23 determining of winning chances does not hold a license issued  
24 under the provisions of this Section.

25 (e)(1) Each political committee licensed to conduct  
26 raffles and chances shall keep records of its gross receipts,

1 expenses, and net proceeds for each single gathering or  
2 occasion at which winning chances are determined. All  
3 deductions from gross receipts for each single gathering or  
4 occasion shall be documented with receipts or other records  
5 indicating the amount, a description of the purchased item or  
6 service or other reason for the deduction, and the recipient.  
7 The distribution of net proceeds shall be itemized as to  
8 payee, purpose, amount, and date of payment.

9 (2) Each political committee licensed to conduct raffles  
10 shall report on the next report due to be filed under Article 9  
11 of the Election Code its gross receipts, expenses, and net  
12 proceeds from raffles, and the distribution of net proceeds  
13 itemized as required in this subsection.

14 Such reports shall be included in the regular reports  
15 required of political committees by Article 9 of the Election  
16 Code.

17 (3) Records required by this subsection shall be preserved  
18 for 3 years, and political committees shall make available  
19 their records relating to the operation of raffles for public  
20 inspection at reasonable times and places.

21 (f) Violation of any provision of this Section is  
22 punishable by a tiered fine of \$500 for the first violation,  
23 \$1,000 for the second violation, and \$1,500 for the third and  
24 subsequent violations to be imposed by the State Board of  
25 Elections ~~a Class C misdemeanor.~~

26 (g) Nothing in this Section shall be construed to

1 authorize the conducting or operating of any gambling scheme,  
2 enterprise, activity, or device other than raffles as provided  
3 for herein.

4 (Source: P.A. 101-109, eff. 7-19-19; revised 9-20-19.)